

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

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|---------------------------|---|--------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | 3:10-CR-124 |
| v. |) | 3:11-CR-11 |
| |) | Judge Jordan |
| LESLIE JANOUS, |) | |
| |) | |
| Defendant. |) | |

FINAL ORDER OF FORFEITURE

On October 18, 2010, an Amended Indictment (Docket No. 9) was filed in case number 3:10-CR-124 charging the defendant, Leslie Janous, with wire fraud in violation of 18 U.S.C. § 1343. In the forfeiture allegations of the Amended Indictment, the United States sought forfeiture of the interest of the defendant, Leslie Janous, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), in any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses, as alleged in the Amended Indictment. On February 11, 2011, the United States filed a Bill of Particulars for Forfeiture of Property (Docket No. 29), which listed additional property that the United States is seeking for forfeiture.

On February 11, 2011, an Information (Docket No. 1) was filed in case number 3:11-CR-11, charging the defendant, Leslie Janous, with money laundering in violation of 18 U.S.C. § 1957. In the forfeiture allegations of the Information, the United States sought forfeiture of the interest of the defendant, Leslie Janous, in any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses in the Information.

In accordance with 18 U.S.C. § 981(a)(1)(C), 28 U.S.C. § 2461(c) and 18 U.S.C. § 982(a)(1), the defendant agreed to forfeit to the United States immediately and voluntarily any and all assets and property, or portions thereof, real or personal, which are in the possession or control of the defendant or the defendant's nominees, which constitute or are derived from proceeds traceable to a violation of 18 U.S.C. §§ 1343 and/or 1957. The defendant specifically agreed to the forfeiture of the defendant's interest in any items of real and personal property.

An Agreed Preliminary Order of Forfeiture was entered on November 4, 2011, in case number 3:10-CR-124 (Docket No. 56) and in case number 3:11-CR-11 (Docket No. 26). Through that order, the Court retained jurisdiction over the forfeiture to amend the order as necessary under Federal Rule of Criminal Procedure 32.2.

An Amended Preliminary Order of Forfeiture was entered on March 15, 2013, in case numbers 3:10-CR-124 (Docket No. 62) and 3:11-CR-11 (Docket No. 32).

Pursuant to 21 U.S.C. § 853 and 18 U.S.C. § 982 and the Preliminary Orders of Forfeiture, Notice of Forfeiture as to the property was published on an official Government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on April 18, 2013 and ending on May 17, 2013.

The Notice of Forfeiture advised that any person, other than the defendant, Leslie Janous, having or claiming a legal interest in the property described above was required to file a petition with the Court within sixty (60) days of the first date of publication (April 18, 2013) of the notice on the official Government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, 21 U.S.C. § 853(n)(2) and 18 U.S.C. § 982(b)(1). The notice further provided that the petition must be filed with the Clerk of the Court. It was required that the

petition be signed by the petitioner under penalty of perjury, and set forth the nature and extent of the petitioner's right, title or interest in the property and any additional facts supporting the petitioner's claim and the relief sought.

The victim, Scancarbon, Inc. filed a claim and petition on May 13, 2013. (Docket Nos. 65 and 35) asserting an interest in the property identified in the Notice of Forfeiture filed on April 11, 2013. The United States filed a Response on July 16, 2013 to the claim and petition of Scancarbon, Inc. (Docket Nos. 74 and 44). The Court issued an Order on January 8, 2014 (Docket Nos. 91 and 61) denying the claim and petition for a hearing because Scancarbon, Inc. has been identified as a victim in the above-referenced criminal cases and the petition is unnecessary. Scancarbon, Inc. is entitled to restitution based upon the Judgments entered in the criminal cases, and does not have any ownership interest in the property identified in the Notice of Forfeiture.

After the entry of this Final Order of Forfeiture, the United States will use the restoration process and submit a restoration request to the Asset Forfeiture Money Laundering Section (AFMLS) on behalf of Scancarbon, Inc. The advantage of restoration is that victims are not required to do anything to receive compensation. In order to receive compensation, a victim does not need to file a claim. The United States Attorney's Office will make a request to the Asset Forfeiture and Money Laundering Section, AFMLS, on behalf of the victim(s) listed in the restitution order or judgment. In addition, because restoration applies to property that has been forfeited, the government has the ability to liquidate any tangible property that must be converted to cash. If AFMLS approves the restoration request in this case, the United States Marshals Service holding the proceeds of the forfeited property will be directed to forward those proceeds

to the clerk of court who then makes disbursement to the victim in accordance with the restitution order or the criminal judgment.

Leigh Janous filed a claim and petition on May 24, 2013 (Docket nos. 70 and 40) as to the following property listed in the Preliminary Order of Forfeiture:

- (a) 2008 Silver BMW 328i Sedan, VIN WBAVA37538NL43516;
- (b) Platinum ring by Scott Kay with a blue sapphire and diamonds;
- (c) Tiffany & Co. Coupe Mark watch, serial number 010238318;
- (d) Tiffany & Co. Coupe Mark watch, serial number 090231960;
- (e) 18k white gold necklace with a heart shape blue sapphire and diamonds;
- (f) 14k white gold necklace with pendant with round and princess cut diamonds; and
- (g) Miscellaneous memory cards, miscellaneous external hard drives and thumbdrive.

On January 2, 2014, the United States and counsel for Leigh Janous entered into a Settlement Agreement and Release of Claims (Docket nos. 90 and 60), wherein it was agreed that items (b) and (c) and a pro rata share of the proceeds of the sale of item (a) listed above (less expenses incurred by the United States Marshals Service for maintenance and storage of the vehicle) are subject to the constructive trust granted to Scancarbon by judgment of the Knox County Chancery Court and that Scancarbon is entitled to the same. It was further agreed that the items listed above as (b) and (c) and the pro rata share of the proceeds of the sale of item (a) (less expenses incurred by the United States Marshals Service for maintenance and storage of the vehicle) shall be released to counsel for Scancarbon to be held in escrow, or interplead into the Knox County Chancery Court, and the same shall be distributed pending an agreement of Scancarbon and Leigh Janous, or by order of the Knox County Chancery Court.

Leigh Janous agreed pursuant to the Settlement Agreement filed on January 2, 2014 to release her claim as to items (d), (e) and (f) listed above. Item (g) will be returned to Leigh Janous as set forth in the Settlement Agreement.

No other person, corporation, or entity has filed a claim as to the property listed above. It is therefore ORDERED, ADJUDGED AND DECREED:

1. That the following property be and the same is hereby forfeited to the United States, pursuant to 21 U.S.C. § 853 and 18 U.S.C. § 982(b)(1), and all right, title and interest in the property be and the same is hereby vested in the United States:

I. Money Judgment

A personal money judgment against the defendant and in favor of the United States in the amount of \$5,366,067.00.

II. Real Property

Real Property known as 10045 South Northshore Drive, Knoxville, Tennessee, 37922, with all appurtenances, improvements, and attachments thereon, and more fully described as:

Situated in District No. Six (6) of Knox County, Tennessee and without corporate limits and being known and designated as all of Lot 2R-1B1R, of the Final Plat of Lots 2R-1B1 and 2R-1B2 of the Resubdivision of Lot 2R-1B of Michael Dunham Property, a map of the same at Instrument No. 200810070024327, in the Register's Office for Knox County, Tennessee, to which plat specific reference is made for a more particular description.

For reference see Quit Claim Deed dated September 20, 2010 and of record as Instrument #201009200017599 in the Register's Office for Knox County, Tennessee conveying property from Leigh Derrick Janous and Leslie Anne Janous to Leigh Derrick Janous.

III. Personal Property

A. Vehicles

1. A pro rata share of fifty percent of the proceeds from the sale of the 2008 Silver BMW 328i Sedan, VIN WBAVA37538NL43516; (less expenses incurred by the United States Marshals Service for maintenance and storage of the vehicle);
2. 2010 Blue Audi A4 Sedan, VIN WAUFFAFL4AN032838;
3. 2007 Yamaha VX 1052cc personal water craft (Hull ID No. YAMA4024F707);
4. 2007 Yamaha VX 1052cc personal water craft (Hull ID No. YAMA4018F707); and
5. 2002 Gray Toyota Sienna, VIN 4T3ZF13C72U429264, which shall be forfeited to the United States as a substitute asset in accordance with 21 U.S.C § 853(p).

B. Jewelry

1. Tiffany & Co. Platinum 950 Legacy ring with a 2.62 carat cushion cut diamond surrounded by round brilliant cut diamonds weighing .78 carat total weight;
2. Tiffany & Co. rectangular face diamond watch, serial number 090251408;
3. 14k white gold 2.82 carat diamond bracelet;
4. Patek Philippe watch;
5. Tiffany & Co. sterling silver 1837 bar pendant necklace;
6. Tiffany & Co. sterling silver 1837 wedding band;
7. 18" 14k white gold diamond tennis necklace;
8. Ladies Rolex Oyster Perpetual watch with black mother of pearl dial, serial number F062476, model number 79174;

9. 14k white gold diamond and blue sapphire bracelet;
10. 14k white gold diamond earrings;
11. 14k white gold ring with garnet stone and diamonds;
12. Tiffany & Co. Coupe Mark watch, serial number 090231960;
13. 14k white gold earrings with round and princess cut diamonds;
14. 2 pairs of sterling silver earrings with synthetic clear stones;
15. 14k white gold earrings with round diamonds;
16. 14k white gold earrings with round and princess cut diamonds;
17. 18k white gold earrings with round diamonds;
18. 14k white gold diamond earrings;
19. 18k white gold bangle bracelet with round diamonds;
20. 14k white gold bangle bracelet with round and baguette cut diamonds;
21. 14k white gold pendant with rose gold accents with round and princess cut diamonds;
22. 14k white gold pendant with round and princess cut diamonds;
23. 14k white gold ring with tanzanite and diamonds;
24. 14k white gold earrings with round and princess cut diamonds;
25. Mikimoto pearl necklace, single strand of 7.5 to 8.0mm Akoya pearls;
26. Mikimoto pearl necklace, single strand of 8.0 to 8.5mm Akoya pearls;
27. 14k white gold bangle style bracelet with round diamonds;
28. 14k white gold earrings with princess cut diamonds;
29. 14k white gold bangle bracelet with princess cut and round diamonds;

30. 14k white gold link style bracelet with round diamonds;
31. 14k white gold chain w/ 18k white gold cross pendant with diamonds;
32. 18k white gold sapphire ring with baguettes and princess cut diamonds;
33. 14k white gold wedding band with round and princess cut diamonds;
34. 18k white gold small hoop earrings with diamonds;
35. 10 loose 7.5 mm Akoya pearls;
36. 18k white gold bangle bracelet with LEO cut diamonds;
37. 14k white gold hoop earrings with round diamonds;
38. 14k white gold earrings with blue sapphires and pear and marquise cut diamonds;
39. 14k white gold ring with baguette, round and princess cut diamonds;
40. 14k white gold wedding band with baguette and round diamonds
41. 14k white gold chain with 14k white gold diamond pendant;
42. 14k white gold earrings with round diamonds;
43. 18k white gold necklace with a heart shape blue sapphire and diamonds;
and
44. 14k white gold necklace with pendant with round and princess cut diamonds.

C. Camera and Equipment

1. Nikon D700 camera with lens, serial number 2128301;
2. Nikon AF Fisheye Nikkor 16mm lens, no serial number;
3. Nikon AF-S Nikkor 24mm lens, serial number US 246432;
4. Nikon AF-S Nikkor 24mm lens, serial number US 21122;

5. Nikon AF-S Nikkor 35mm lens, serial number US 42388;
6. Nikon AF Nikkor 50mm lens, no serial number;
7. Nikon AF-S Nikkor 50mm lens, serial number US 630786;
8. Nikon AF Nikkor 50mm lens, serial number US 6104051;
9. Nikon AF Nikkor 50mm lens, serial number 406912;
10. Nikon AF-S Nikkor 70mm lens, serial number US 233577;
11. Nikon AF Nikkor 85mm lens, serial number US 445176;
12. Nikon AF-S Micro Nikkor 105mm lens, serial number US 299580;
13. Nikon AF-S VR Nikkor 200mm lens, serial number 358855;
14. Nikon AF-S teleconverter lens, serial number 320847;
15. Nikon Speedlight SB800 Flash, serial number 2310850;
16. Nikon Speedlight SB800 Flash, serial number 2807643;
17. Nikon Speedlight SB800 Flash, serial number 2807715;
18. Nikon Speedlight SB900 Flash, serial number 2111930;
19. Powerex battery charger with batteries, model MHC9000;
20. Canon battery charger, model CB2LVG;
21. Nikon multi-power battery pack, model MB-D2000;
22. Nikon battery pack, serial number 2039897;
23. Epson P-7000 multi-media storage viewer with bag, model G971B, serial number KCMZ000674; and
24. Miscellaneous camera accessories.

D. Computers and electronic equipment

1. Apple iMac 27" (Z0GE) computer, serial number QP02236ED4V, with wireless keyboard and wireless mouse;
2. Apple MacBook Air Laptop, serial number C02FKTVMDJDK;
3. Sony Vaio laptop, model VGN-FW290, serial number 3114864;
4. MacBook Rechargeable battery, model A1280, serial number 9GB400ZSW13DB;
5. Garmin Nuvi 3750, serial number 1W9006505;
6. White iPod, serial number 8K7230G2V9Q;
7. Black iPod 160 GB with pink case, serial number 8K74D2GNYMX;
8. Cisco wireless router, serial number JUTP0KB13835;
9. AT&T 2wire wireless router;
10. Arris router, model TM502GCT, serial number 795BMV6A6206565;
11. T-Mobile Air Card;
12. Samsung cell phone and battery, serial number SCHU360; and
13. Canon battery pack and charger.

E. Accessories

1. Valentino Garavani white patent leather tote bag;
2. Valentino Garavani red patent leather tote bag with a flower design;
3. Valentino Garavani green patent leather tote bag;
4. Prada dark brown patent leather tote bag;
5. Prada Spazzolato blue clutch;
6. Louis Vuitton silver monogram Vernis leather Speedy handbag;

7. Gucci black patent leather buckle shoulder purse;
8. Christian Dior Limited Edition turquoise satchel bag with matching key ring;
9. Louis Vuitton blue epi leather shoulder bag with matching wallet and checkbook cover;
10. Christian Dior off-white French wallet with "D" logo charm;
11. Christian Dior dark blue patent leather monogram chain wallet;
12. Christian Dior dark maroon patent leather monogram chain wallet;
13. Christian Dior silver patent leather monogram chain wallet;
14. Christian Dior hot pink patent leather monogram quilted chain wallet;
15. Christian Dior black purse;
16. Valentino Garavani hot pink leather shoulder bag;
17. Christian Dior small pink purse with matching pink wallet;
18. Christian Dior off-white purse with embroidered flowers and matching wallet;
19. Valentino Garavani lilac patent leather tote bag;
20. Prada beige to light brown leather Cervo Lux chain tote bag;
21. Valentino Garavani dark green patent leather tote bag;
22. Burberry plaid with leather trim tote bag with matching pouch;
23. Fendi blue Borderline clutch evening bag;
24. Louis Vuitton white Mahina leather shoulder bag with matching dark brown Amelia wallet;
25. Valentino Garavani hot pink patent leather wallet;
26. Prada pearlized pink wallet;

27. Christian Dior light pink satin beaded mini clutch handbag;
28. Tiffany & Co. small blue jewelry roll;
29. Tiffany & Co. passport cover with a Tiffany & Co. sterling silver ballpoint pen;
30. Valentino Garavani black shoes with jeweled bow;
31. Valentino Garavani black lace shoes with bow;
32. Valentino Garavani tan flat sandals with flowers;
33. Valentino Garavani red flat sandals with flowers;
34. Christian Louboutin hot pink peep toe shoes, style Claudia 120 Metal Patent Calf;
35. Christian Louboutin grey shoes, style Walibou 90 Metal Patent Calf;
36. Christian Louboutin navy platform pump, style New Simple 90 Patent Calf;
37. Christian Louboutin nude patent round toe pump, style Marcia Balla 45;
38. Christian Louboutin mint green platform pump, style New Simple 90 Patent Calf;
39. Rene Caovilla black jeweled shoes;
40. Rene Caovilla green jeweled shoes with ankle straps;
41. Manolo Blahnik sandals with jeweled buckle;
42. Jimmy Choo black glittery shoes, style 247 Nova;
43. Gucci blue patent leather shoes, style Vitello Vernice So;
44. Christian Dior nubuck flat sandals with gold logo;
45. Christian Dior white and red leather driving shoes;
46. Chanel red and black patent leather mid-heel patent pump;

47. Chanel cream leather and black patent leather lace up shoes;
48. Red Sharpani backpack;
49. Two Think Tank suitcases;
50. Miscellaneous duffel bags;
51. Christian Dior sunglasses in white case;
52. Brookstone reading light;
53. Pink phone cover; and
54. Pink iPod case.

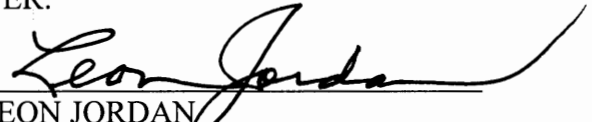
IV. Currency

1. Funds in the amount of \$50,488.71 in U.S. currency, seized from Bank of America account number xxxxxxxx2487; and
 2. Funds in the amount of \$49,988.00 in U.S. currency, seized from Bank of America account number xxxxxxxx8919.
2. That the United States Marshals Service or its designated agency shall dispose of the forfeited property according to law.
3. The United States Marshals Service shall release the following to counsel for Scancarbon to be held in escrow by counsel for Scancarbon, or interplead into the Knox County Chancery Court, and the same shall be distributed pending an agreement of Scancarbon and Leigh Janous, or by order of the Knox County Chancery Court:
- (a) A pro rata share of the proceeds of the sale of the 2008 Silver BMW 328i Sedan, VIN WBAVA37538NL43516 (less expenses incurred by the United States Marshals Service for maintenance and storage of the vehicle);
 - (b) Platinum ring by Scott Kay with a blue sapphire and diamonds; and
 - (c) Tiffany & Co. Coupe Mark watch, serial number 010238318.

4. Pursuant to the settlement agreement, the United States Marshals Service shall return the miscellaneous memory cards, miscellaneous external hard drives and thumbdrive to Leigh Janous.

5. That the Clerk of this Court provide the United States Marshals Service and the United States Attorney's Office with a certified copy of this Final Order of Forfeiture.

ENTER:


R. LEON JORDAN
UNITED STATES DISTRICT JUDGE

Submitted by:

WILLIAM C. KILLIAN
United States Attorney

By: s/ Anne-Marie Svolto
Anne-Marie Svolto
Assistant United States Attorney